

REMARKS

Favorable reconsideration of the above-identified application is requested in view of amendments made herein and remarks presented below. Claims 8-14 remain pending, Claims 1-7 having been previously canceled.

A Preliminary Amendment was filed on May 13, 2005 amending Claims 1-4 and adding Claims 5-7. A second Preliminary Amendment was filed on January 9, 2006 canceling Claims 1-7 and adding Claims 8-14. The present Official Action improperly addresses Claims 1-7. It is requested that receipt of the January 9, 2006 Amendment be confirmed and that it be entered.

Claims 1-7 are rejected under 35 U.S.C. § 112 for lacking antecedent basis for the recitation "the roll gap." This rejection is deemed moot as Claim 8 recites --a roll gap--.

Claims 1-7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. 2002 066362 to Takashi, hereinafter *Takashi*. This rejection is deemed moot, and is also traversed with respect to Claims 8-14.

One of the issues addressed in the present application relates to product speed. Page 3 of the present application describes that a rubber roll peeler 1 has a pair or rubber rolls 3, 3' arranged in a housing 5. The product moves onto a chute and into a feed pipe 7. The feed pipe 7 is connected to a pressure ventilator 10 having an elastic transition. A venturi tube 8 enables a partial vacuum and therefore an increase in product speed. Due to the partial vacuum, the product is sucked into the feed pipe 7. Page 4 of the present application describes that above rolls 3, 3' an aspiration connection is provided on the housing 5 in order to avoid counter-pressure

on the outlet of the feed pipe 7. There, at least as much air is sucked out as supplied.

Claim 8, recites a roll peeler that is for peeling material. At least one pair of rolls are in a housing. A feeding device is for feeding the material that is to be peeled. A pneumatic conveying device is provided between the feeding device and a roll gap between the at least one pair of rolls. The pneumatic conveying device comprises a feed pipe and an air connection. A lower end of the feeding device is constructed as a chute, and is arranged above a venturi tube of the feed pipe. An aspiration connection is provided on the housing and is on or above a roll level of the rolls.

Takashi discloses a husker. Figure 2 of *Takashi* shows a device having a pneumatic chute. Air flows through the chute thereby driving the material 28 to the space between rolls 7. Openings 30 are provided within the chute, thereby aspirating the chute.

Claim 8 is allowable over *Takashi*. Claim 8 recites, among other features, that the aspiration connection is provided on the housing. Such a feature is not disclosed in *Takashi* and it would not have been obvious to modify *Takashi* to include such a feature. Such a modification would have been a significant departure from features set forth in the *Takashi* disclosure and a skilled person would not have had any suggestion or motivation, based on the teaching to implement such a feature.

Claims 9-14 are allowable at least by virtue of their dependence from allowable independent Claim 8.

For the reasons stated above, it is requested that all the objections and rejections be withdrawn and that this application be allowed in a timely manner.

Should any questions arise in connection with this application, or should the Examiner feel that a teleconference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned requests that he be contacted at the number indicated below.

Respectfully submitted,

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